

Executions issued, how tested and returned.

SEC. 7. All executions issued or judgments in civil actions shall be tested as of the term next before the day on which they issued, and shall be returnable to the term of the court next after that from which they bear test; and all executions now in the hands of any sheriff, issued from any superior court, shall be returned to the next term of said court.

Proceedings by attachment.

SEC. 8. The provisions of this act shall not apply to proceedings by attachment.

Exemptions from repeal.

SEC. 9. Nothing in this act shall operate to repeal the provisions of the code of civil procedure, which allow defendants to be arrested and held to bail in certain cases.

Suspension of laws.

SEC. 10. All laws and clauses of laws inconsistent with the provisions of this act are suspended until the first day of January, anno domini eighteen hundred and seventy-three, and this act shall be in force from and after its ratification, and shall continue in force until the first day of January, eighteen hundred and seventy-three.

How long act to remain in force.

Ratified the 25th day of January, A. D. 1871.

CHAPTER XLIII.

AN ACT TO REPEAL SECTIONS SEVEN AND EIGHT OF AN ACT IN RELATION TO PUNISHMENT, CHAPTER ONE HUNDRED AND SIXTY-SEVEN, PUBLIC LAWS OF NORTH CAROLINA, ONE THOUSAND EIGHT HUNDRED AND SIXTY-EIGHT, AND ONE THOUSAND EIGHT HUNDRED AND SIXTY-NINE.

Repeal.

SECTION 1. *The General Assembly of North Carolina do enact*, That sections seventh and eighth of chapter one hundred and sixty-seven, of laws of one thousand eight hundred and sixty-eight and one thousand eight hundred and sixty-nine, be and the same are hereby repealed.

Punishment for assault.

SEC. 2. That in all cases of an assault with or without intent to kill or injure, the person convicted shall be punished by fine or imprisonment, or both at the discretion of the court.